

# LOUISIANA PUBLIC SERVICE COMMISSION

## SPECIAL ORDER NO. 68-2016

### LOUISIANA PUBLIC SERVICE COMMISSION EX PARTE

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*In Re: Discussion and possible vote to ratify Executive Orders dated August 17, 2016 and August 19, 2016*

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(Decided at the Commission's Business and Executive Session held August 31, 2016.)

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#### I. OVERVIEW

The Louisiana Public Service Commission, through the authority designated the Executive Secretary in the General Order dated November 3, 2005, issued Executive Orders dated August 17, 2016 and August 19, 2016 following the flooding event in south Louisiana. Specifically, Executive Order dated August 17, 2016 prohibits/suspends the disconnection of customers of Commission-jurisdictional public utilities for non-payment of service in parishes placed under a declared state of emergency and/or a federally designated disaster area. Executive Order dated August 19, 2016 prohibits the charging of late fees for non-payment to those same customers in those same parishes. Both Executive Orders remain in effect.

#### II. JURISDICTION

The jurisdiction of the Commission is set forth by the Louisiana Constitution, Article IV, Section 21, which provides as follows:

The Commission shall regulate all common carriers and public utilities and have such other regulatory authority as provided by law. It shall adopt and enforce reasonable rules, regulations, and procedures necessary for the discharge of its duties, and shall have other powers and perform other duties as provided by law.

Consistent with this constitutional grant of rulemaking authority, the Commission adopted the November 3, 2005 General Order, which grants the Commission's Executive Secretary authority, in certain emergency situations, to issues executive orders providing exceptions to Commission regulations. The November 3, 2005 General Order further provides, in pertinent part,

All commissioners shall be notified of any exception (granted by executive order) and the Commission shall ratify or reject the exception, in whole or in part, at its next scheduled Business and Executive Session or at a Special Session.

#### III. COMMISSION CONSIDERATION

Both Executive Orders were presented for ratification, in whole or in part, to the Commission at the August 31, 2016 Business and Executive Session, with Staff recommending the Commission ratify the August 17, 2016 and August 19, 2016 Orders, subject to any modification that may be required. On motion of Commissioner Skrmetta, seconded by Commissioner Boissiere, with Commissioner Campbell and Vice Chairman Angelle concurring, and Chairman Holloway absent, the Commission voted to ratify the August 17, 2016 and August 19, 2016 Orders, subject to any modification that may be required.

#### IT IS THEREFORE ORDERED THAT:

1. Louisiana Public Service Commission Executive Order dated August 17, 2016 is hereby ratified subject to any modification that may be required.

2. Louisiana Public Service Commission Executive Order dated August 19, 2016 is hereby ratified, subject to any modification that may be required.
3. This Order shall be effective immediately.

**BY ORDER OF THE COMMISSION  
BATON ROUGE, LOUISIANA**

September 20, 2016

/S/ CLYDE C. HOLLOWAY

DISTRICT IV

CHAIRMAN CLYDE C. HOLLOWAY

/S/ SCOTT A. ANGELLE

DISTRICT II

VICE CHAIRMAN SCOTT A. ANGELLE

/S/ FOSTER L. CAMPBELL

DISTRICT V

COMMISSIONER FOSTER L. CAMPBELL

/S/ LAMBERT C. BOISSIERE


DISTRICT III

COMMISSIONER LAMBERT C. BOISSIERE, III

/S/ ERIC F. SKRMETTA

DISTRICT I

COMMISSIONER ERIC F. SKRMETTA

  
EVE KAHAO GONZALEZ  
SECRETARY